

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, MARCH 16, 1992  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:12 p.m. with no quorum present. A quorum was present at 2:16 p.m. with Council Member Roberts not present. Chairperson Filner adjourned the meeting at 6:33 p.m. to meet in Closed Session on Tuesday, March 17, 1992, at 9:30 a.m. in the twelfth floor conference room to discuss pending litigation matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present

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- (3) Council Member Hartley-not present
- (4) Council Member Stevens-not present
- (5) Council Member Behr-not present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Hollis Pleasant of the Ark  
Missionary Baptist Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Don Stillwell commenting on truth and education and what is  
being taught in the schools. He recommended that the Mayor  
and Council watch the video tape on "Education of the  
Founding Fathers" to be shown on March 26, 1992 at 9:00 p.m.  
on Southwestern Cable.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A069-097.)

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

2/17/92 Adjourned  
2/18/92  
2/18/92 Special  
2/20/92 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A098-106.)

MOTION BY HARTLEY TO APPROVE. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-92-1370) ADOPTED AS RESOLUTION R-279510

Declaring April 1992 as Youth Month in San Diego; commending the volunteers of KidsPlace who organize the event to celebrate San Diego's youth and the organizations which serve them.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A107-146.)

MOTION TO ADOPT BY COMMON CONSENT. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: DENIED HEARING

Matter of the request of Nina McCarthy for a hearing of an appeal from the decision of the Planning Commission in granting La Jolla Shores Permit LJS-91-0221 allowing construction of a roof access stairway and rooftop safety railing to an existing single-family residence. The subject property, a 33,025 square-foot site, is located at 2337 Calle Corta and is more particularly described as a portion of Pueblo Lot No. 1297, Miscellaneous Map No. 36. The Single-Family zoned site

is located within the La Jolla Shores Planned District.  
(LJS-91-0221. District-1.)

A motion granting or denying the request for a hearing  
of the appeal.

FILE LOCATION: PERM - LJS-91-0221

COUNCIL ACTION: (Tape location: A148-156.)

MOTION BY WOLFSHEIMER TO DENY THE HEARING BECAUSE SHE FOUND  
NO GROUNDS FOR FINDINGS. Second by Hartley. Passed by the  
following vote: Wolfsheimer-yea, Roberts-not present,  
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33: CONTINUED TO APRIL 6, 1992 AT 2:00 P.M.

Matter of the request of Laura Langman, President of  
Save Everyone's Access (SEA), et al, for a hearing of  
an appeal from the decision of the Planning Commission  
in approving Coastal Development Permit/Sensitive  
Coastal Resource Permit and Conditional Use Permit  
(CDP/SCR/CUP-90-0835) to demolish an existing  
single-family house and construct two separate  
single-family homes each on separate lots and both  
homes include Conditional Use Permits for guest  
quarters. Each home is approximately 2,900 square feet  
in floor area on a project site of approximately 11,000  
square feet. The subject property, an 11,000-square-  
foot site is located at 1525 Coast Walk, east of Coast  
Walk, west of West Torrey Pines Road and north of  
Prospect Street and is described as Lots 13 and 14 and  
a portion of Lot 5, La Jolla Park, Map-352. The  
R1-5000 (Single Family Residential - minimum lot size  
of 5,000 square feet) zoned site is within the La Jolla  
Community Plan Area.  
(CDP/SCR/CUP-90-0835. District-1.)

A motion granting or denying the request for a hearing  
of the appeal.

FILE LOCATION: PERM - CDP/SCR/CUP-90-0835

COUNCIL ACTION: (Tape location: A157-176.)

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 6, 1992 AT 2:00 P.M. TO SETTLE THE DRAINAGE ISSUE AND DIRECT THE CITY MANAGER TO COME BACK TO COUNCIL AT THAT TIME WITH HIS OPINION ON HOW TO SETTLE THE DRAINAGE ISSUE, WHERE THE MONEY CAN BE FOUND TO CLEAR UP THE PROBLEM AND WHETHER IT CAN BE DONE THROUGH AN ASSESSMENT DISTRICT OR ANY OTHER MEANS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-50: (O-92-86) ADOPTED AS ORDINANCE O-17747 (New Series)

Amending Chapter II, Article 2, Division 5, of the San Diego Municipal Code (Purchasing Ordinance) by amending Sections 22.0506, 22.0512 and 22.0514, relating to selling and disposing of obsolete or depreciated property, award of procurement and public works contracts, and debarment procedures for procurement and public works contracts.  
(Introduced on 3/2/92. Council voted 8-0. District 1 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A263-269.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-51: (O-92-65) CONTINUED TO MARCH 23, 1992

Amending Chapter VI, Article 9, of the San Diego Municipal Code relating to Environmental Quality by amending Sections 69.0101, 69.0103, 69.0104 and 69.0108; by adding Sections 69.0109 and 69.0110; by amending the title of Division 2; by repealing Sections 69.0201, 69.0202, 69.0203, 69.0204, 69.0205, 69.0206, 69.0207, 69.0208, 69.0209, 69.0210, 69.0211, 69.0212, 69.0213, 69.0214, 69.0215, 69.0216, 69.0217, 69.0218, 69.0219, and 69.0220; by adding Sections 69.0201, 69.0202, 69.0203, 69.0204, 69.0205, 69.0206, 69.0207, 69.0208, 69.0209, 69.0210, 69.0211, 69.0212, 69.0213,

69.0214, 69.0215, 69.0216, 69.0217, and 69.0218 by amending Section 69.0302; by repealing Section 69.0305; by repealing Division 4, Sections 69.0401, 69.0402, 69.0403, 69.0404, 69.0405, 69.0406, 69.0407, 69.0408; Division 5, Sections 69.0501, 69.0502, 69.0503, 69.0504, 69.0505, 69.0506, 69.0507, 69.0508, 69.0509, 69.0510; Division 6, Sections 69.0601, 69.0602, 69.0603; and Division 7, Sections 69.0701, 69.0702, 69.0703, 69.0704, and 69.0705.

(Introduced as amended on 3/3/92. Council voted 6-0. Districts 2, 7, 8 not present.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A270-C066.)

Motion by Wolfsheimer to adopt and direct staff to:

1. Change the language in Sec. 69.0208-D "Additional Review Time"- from "An additional review period shall be allowed..." to "An additional review period may be allowed...".
2. Report back to Council with an interim report of the results of the review of the Zoning Code Update and then give Council a more detailed report in six to nine months. Second by Hartley. Amendment to the motion by Behr to include Council Member McCarty's request to amend the ordinance to reinstate the "timely compliance" language in Section 69.0505 was accepted by Council Member Wolfsheimer.

Second by Stallings. Failed. Yeas-1,3,5,6; Nays-2,4,7,M; Not present-8.

Motion by Roberts to return to the Zoning Code Update Committee. Second by Stevens. No vote.

Mayor O'Connor closed the hearing.

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 23, 1992 AND DIRECT THE CITY ATTORNEY TO COME BACK AT THAT TIME WITH LANGUAGE INCORPORATING A TIME LIMIT ON THE ADDENDUMS AND NEW LANGUAGE REGARDING THE 21-DAY REVIEW PERIOD FOR ADDENDUMS AND 7-14 DAYS FOR THE FINAL EIR. IN ADDITION, STAFF WAS DIRECTED TO:

1. CHANGE THE LANGUAGE IN SEC. 69.0208-D "ADDITIONAL REVIEW TIME" - FROM "AN ADDITIONAL REVIEW PERIOD SHALL BE

ALLOWED..." TO "AN ADDITIONAL REVIEW PERIOD MAY BE  
ALLOWED...".

2. REPORT BACK TO COUNCIL WITH AN INTERIM REPORT OF THE  
RESULTS OF THE REVIEW OF THE ZONING CODE UPDATE AND THEN  
GIVE COUNCIL A MORE DETAILED REPORT IN SIX TO NINE MONTHS.

3. AMEND THE ORDINANCE TO REINSTATE THE "TIMELY  
COMPLIANCE" LANGUAGE IN SECTION 69.0505.

Second by Hartley. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-nay, Filner-not present,  
Mayor O'Connor-yea.

\* ITEM-52: (O-92-116 Rev.1) ADOPTED AS ORDINANCE O-17748 (New  
Series)

Amending Chapter X, Article 1, Division 1, of the San  
Diego Municipal Code by amending Section 101.0101.96  
and by adding a new Section 101.0101.0105; and amending  
Chapter X, Article 1, Division 5, by amending Section  
101.0510; all relating to Local Detention Facilities  
and Standards for Conditional Use Permits.

(Introduced as amended on 3/3/92. Council voted 7-0.  
Districts 7 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A263-269.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND  
ADOPT. Second by Behr. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,  
Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor  
O'Connor-yea.

\* ITEM-53: (O-92-105) ADOPTED AS ORDINANCE O-17749 (New  
Series)

Incorporating a 0.95-acre lot on Camino Esperanza into  
the R1-5000 Zone; and incorporating 79.44 acres located  
on the south side of Camino De La Plaza into the CT-2-3  
Zone.

(San Ysidro Community Area. District-8. Introduced as amended on 2/25/92. Council voted 7-0. Districts 2 and 4 not present.)

FILE LOCATION: LAND - San Ysidro Community Plan

COUNCIL ACTION: (Tape location: A263-269.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-54: (O-92-113) ADOPTED AS ORDINANCE O-17750 (New Series)

Removing a portion of Mt. Soledad Nature Park from dedicated park status, and transferring title of the same parcel to the Mt. Soledad Memorial Association.

(La Jolla Community Area. District-1. Introduced on 2/24/92. Council voted 8-0. District 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A263-269.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100: (R-92-971) ADOPTED AS RESOLUTION R-279511

Accepting the sole bid of Biocom Incorporated and awarding a contract for furnishing Duplex/Multiplex Coronary Observation Radio Units, as may be required for a period of one year beginning April 1, 1992 through March 31, 1993, for a total estimated cost of \$60,232.25, including tax, with an option to renew the contract for an additional one year period with a price escalation not to exceed five percent of bid prices.  
(BID-B2912/92)



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FILE LOCATION: CONT - Purchase - Biocom Incorporated  
CONFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101: (R-92-970) ADOPTED AS RESOLUTION R-279512

Awarding a contract to Bio Safety Systems, Inc. for  
furnishing latex exam gloves, as may be required for a  
period of one year beginning January 15, 1992 through  
January 14, 1993 for a total estimated annual cost of  
\$47,585, including tax and terms, with an option to  
renew the contract for four additional one year  
periods, with option period price increases not to  
exceed the price in effect for the previous contract  
period by more than 10 percent.  
(BID-Q2781/92)

FILE LOCATION: CONT - Purchase - Bio Safety Systems, Inc.  
CONFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-92-959) ADOPTED AS RESOLUTION R-279513

Awarding a contract to Horiba Instruments, Inc. for the  
purchase of one Particle Size Distribution Analyzer for  
an actual cost of \$59,672.81, including tax;  
authorizing the expenditure of not to exceed \$59,672.81  
from Department No. 700, Organization No. 422, Object  
Account No. 6010, and Job Order No. 82248, for  
providing funds for said project and related costs;  
authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-B2891/92)

Aud. Cert. 9200621.

FILE LOCATION: CONT - Purchase - Horiba Instruments, Inc.  
CONTFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-103: (R-92-958) ADOPTED AS RESOLUTION R-279514

Awarding a contract to Quality Lift Trucks for the  
purchase of one forklift 13,000 lb. capacity at a cost  
of \$31,747, and one forklift 15,000 lb. Capacity at a  
cost of \$40,717, for a total cost of \$78,442.28,  
including tax and terms; authorizing the expenditure of  
not to exceed \$78,442.28 from Fund Nos. 50031 and  
50033, Department Nos. 8201 and 8203, Object Account  
No. 6013, and Job Order Nos. 88092 and 88082, for  
providing funds for said project and related costs;  
authorizing the Auditor and Comptroller, upon advice  
from the administering department, to transfer excess  
budgeted funds, if any, to the appropriate reserves.  
(BID-B2826/92)

Aud. Cert. 9200646.

FILE LOCATION: CONT - Purchase - Quality Lift Trucks  
CONTFY92-1

COUNCIL ACTION: (Tape location: E389-421; F221-237.)

MOTION BY STEVENS TO ADOPT. Second by Behr. Passed by the  
following vote: Wolfsheimer-not present, Roberts-not  
present, Hartley-not present, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104:

Two actions relative to the Construction of Middletown  
Trunk Sewer - Phases I and II: (BID-K2999/92)  
(University and Centre City Community Areas.  
Districts-1 and 2.)

Subitem-A: (R-92-1087) ADOPTED AS RESOLUTION R-279515

Inviting bids for the Construction of Middletown Trunk Sewer - Phases I and II on Work Order No. 171301; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$1,377,136 from Sewer Revenue Fund 41506, CIP-44-001, for providing funds for said project and related costs, with funding contingent on Council approval of the FY 1992 budget.

Subitem-B: (R-92-1088) ADOPTED AS RESOLUTION R-279516

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-90-0840, dated December 6, 1990, in connection with the Construction of Middletown Trunk Sewer - Phases I and II, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The Middletown Trunk Sewer Project consists of the replacement of sewer mains in two parts of the city.

Phase I of this project will replace the old existing 14-inch sewer main with approximately 1,752 feet of 18-inch vitrified extra strength clay pipe. The new 18-inch clay pipe will be constructed between the west side of Freeway I-5 and the intersection of Juniper Street and Pacific Highway, and between the intersection of Maple and State Streets and one hundred feet north of the intersection of Laurel and State Streets. The Middletown Trunk Sewer was rated critical on the list of trunk sewers within the City of San Diego on April 6, 1988. The existing 14-inch sewer main on California Street has a history of backup problems. The most recent occurrence was on February 5, 1988, when sewage backed up into the "Dollar Rent-A-Car" Company, and recently in 1991 the existing 14-inch sewer main on 3066 Kettner Boulevard backed up. The Middletown Trunk Sewer Planning Study concluded that the existing 14-inch sections of Middletown Trunk Sewer are inadequate to serve the present and future needs of the surrounding community area. The proposed construction of the Middletown Trunk Sewer will remedy the capacity problem. Phase II of this replacement project consists of the Soledad Canyon sewer pipe and concrete pier replacement, which will replace 120 feet of exiting sewer mains and concrete piers with 14-inch ductile iron steel sewer mains and reinforced concrete piers. The existing sewer mains and concrete piers crossing a

stream channel in Soledad Canyon are settling. The condition of the sewer main and concrete piers was field verified as being critical and the replacement is essential in order to avoid future failure.

Aud. Cert. 9200138.  
WU-P-91-154.

FILE LOCATION: W.O. 171301 CONT - Cass Construction, Inc.  
CONFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-105: (R-92-1089) ADOPTED AS RESOLUTION R-279517

Rejecting all bids received on December 3, 1991 and readvertising for bids for the Fiber Optic Network System for Washington Street/El Cajon Boulevard on Work Order No. 118419; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Auditor and Comptroller to transfer \$12,875 from CIP-61-001.0, Annual Allocation - Signal Installations to Accommodate Sudden Changes, Fund 30300, into CIP-62-223.0, El Cajon Boulevard/Washington Street - From Pacific Highway to 73rd Street; authorizing the expenditure of \$40,000 from CIP-62-223.0 (\$27,125 from Fund 30245 and \$12,875 from Fund 30300) to augment \$207,625 previously authorized by Council Resolution R-278908, for a total amount of \$247,625.  
(BID-K2719/92FAA)  
(Districts-2, 3 and 7.)

CITY MANAGER SUPPORTING INFORMATION: This is the second of two contracts that will provide for the coordination of the operation of 65 signalized intersections along the Washington Street/El Cajon Boulevard corridor, including adjacent signalized intersections, from Goldfinch Street to Montezuma Road. Additionally, signalized intersections along Grape Street, Hawthorn Street, Laurel Street, Pennsylvania Avenue, Robinson Avenue, University Avenue and Montezuma Road will be coordinated utilizing this network system. The first contract is nearing completion. The City Council approved this second project and

authorized the Purchasing Agent to advertise for bids October 28, 1991. Bids were opened December 3, 1991. Four bids were received. The low bidder, Pacific Datacom Systems, Inc., was disqualified for not having the necessary contractors license. The second low bid by Tower Structures, Inc. was above the engineer's estimate by \$39,642. A prospective bidder indicated that they would have submitted a bid if they had more time. Therefore, it is recommended that all bids be rejected, the construction budget be raised \$40,000 and the project be readvertised.

Aud. Cert. 9200563.

FILE LOCATION: W.O. 118419 CONT - Tower Structure Inc.  
CONFY92-1

COUNCIL ACTION: (Tape location: E422-452.)

MOTION BY STEVENS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

\* ITEM-106: (R-92-972) ADOPTED AS RESOLUTION R-279518

Assigning to Arbor Tech, Inc. from United Pacific Corporation, all rights and obligations of the contract for furnishing dewatering of wastewater screenings, as may be required for a period of one year beginning November 1, 1991 through October 31, 1992, as authorized by Resolution R-279195, adopted on 1/6/92.  
(BID-B2655/92)

FILE LOCATION: CONT - Purchase - Arbor Tech, Inc. CONFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-92-1241) ADOPTED AS RESOLUTION R-279519

Terminating the Subdivision Improvement Agreement of January 8, 1990, for Canyon Country Unit No. 6;

releasing Performance Bond No. 111270 36 116, issued by The American Insurance Company, refunding to the Fieldstone Company all fees paid in connection with the final map and public improvements associated with Canyon Country Unit No. 6.  
(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On January 8, 1990 the City approved the final map of Canyon Country Unit No. 6, consisting of 30 lots, and entered into an agreement with The Fieldstone Company (the subdivider) for the construction of the public improvements necessary to serve those lots. On May 1, 1991 The Fieldstone Company recorded two subdivision maps over the land covered by the map of Canyon Country Unit No. 6. They are Canyon Country West Unit No. 2, Map-12811, and Canyon Country West Unit No. 3, Map-12812. The same areas bonded for in Canyon Country Unit No. 6 have been covered in the bonds and agreements for Canyon Country West Unit Nos. 2 and 3. Since the obligation of the map has been met, the subdivider is now requesting that the subdivision improvement agreement for Canyon Country Unit No. 6 be terminated, that the performance bond be released, and that all fees paid in connection with the final map of and the public improvements associated with Canyon Country Unit No. 6 be refunded by the City.

The subject fees are as follows:

	Fund		Account
Lot Stakes & Monument Bond	\$14,000	63021	9022
Subdivision Monumentation	1,800	100	77442
As Builts - Mapping	272	100	77441
	\$16,072		

FILE LOCATION: SUBD - Canyon Country Unit No. 6

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-108: CONTINUED TO MARCH 30, 1992

Two actions relative to North Creek Homes Unit No. 2:  
(Mountain View Community Area. District-4.)

Subitem-A: (R-92-1254)

Granting an extension of time to January 8, 1994 to Imperial II, subdivider, to complete the improvements required for North Creek Homes Unit No. 2.

Subitem-B: (R-92-1255)

Granting an extension of time to January 8, 1994 to Imperial II, subdivider, to complete the improvements required in San Pasqual Street, for North Creek Homes Unit No. 2.

CITY MANAGER SUPPORTING INFORMATION: On February 29, 1988, the City entered into a subdivision improvement agreement with Imperial II, a joint venture, for the construction of public improvements for North Creek Homes Unit No. 2, and into the San Pasqual Street agreement, to share in the cost of acquiring and improving San Pasqual Street. The subdivision improvement agreement expired February 28, 1990, and the street agreement will expire February 28, 1993. The subdivider has requested extensions of time to January 8, 1994 in which to complete the required public improvements and the improvements called for in the San Pasqual Street agreement. It is recommended that the time extensions be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension for the subdivision improvement agreement is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD - North Creek Homes Unit No. 2

COUNCIL ACTION: (Tape location: F238-315.)

MOTION BY STEVENS TO CONTINUE TO MARCH 30, 1992 FOR ADDITIONAL TIME TO MEET WITH THE DEVELOPER. Second by Behr. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-109:

Three actions relative to De La Fuente Business Park Phase II Assessment District No. 4021:

(Otay Mesa Community Area. District-8.)

Subitem-A: (R-92-1194) ADOPTED AS RESOLUTION R-279520

Adopting a map showing the proposed boundaries of the  
Special Assessment District.

Subitem-B: (R-92-1195) ADOPTED AS RESOLUTION R-279521

Resolution of Intention to order the construction of  
certain improvements in the proposed assessment  
district; declaring the work to be of more than local  
or ordinary benefit; describing the district to be  
assessed to pay the costs and expenses thereof; and  
providing for the issuance of bonds.

Subitem-C: (R-92-1196) ADOPTED AS RESOLUTION R-279522

Passing on the Report of the Engineer, giving  
preliminary approval, and setting a time and place for  
a public hearing.

CITY MANAGER SUPPORTING INFORMATION: On February 5, 1990, the  
City Council accepted the property owner petition which was  
signed by the developer representing 100 percent of the land  
owners in the proposed assessment district. This is an  
acquisition type district in which the property owner will  
construct the public improvements and the City would acquire them  
through assessment district proceedings. The public improvements  
have now been completed and the assessment district proceedings  
can begin. The proceedings will commence with the first action  
being the adoption of the Resolution of Intention followed by  
noticing of the property owners and a public hearing on the  
assessment district. During the 30-day cash payment period  
immediately following the public hearing, property owners may pay  
all or any portion of their assessment. Subsequently, bonds are  
issued in the amount of the total unpaid assessments and the  
developer is paid for the subdivision improvements. The public  
improvements consist of grading, curb and gutter, sidewalk,  
paving, sewer, water and storm drain facilities, fire hydrants  
and street lights. All property owners will be noticed of the  
public hearing and informed of the proposed assessment(s) to  
their land.

FILE LOCATION: STRT - D2283

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.



\* ITEM-110:

Four actions relative to Otay Mesa Industrial Park  
Assessment District No. 4030 (Municipal Improvement Act  
of 1913).

(Otay Mesa Community Area. District-8.)

Subitem-A: (R-92-1268) ADOPTED AS RESOLUTION R-279523

Adopting a map showing the proposed boundaries of the  
Special Assessment District.

Subitem-B: (R-92-1269) ADOPTED AS RESOLUTION R-279524

Resolution of Intention to order the installation of  
improvements in the proposed assessment district;  
declaring the work to be of more than local or ordinary  
benefit; describing the district to be assessed to pay  
the costs and the expenses; providing for the issuance  
of bonds.

Subitem-C: (R-92-1270) ADOPTED AS RESOLUTION R-279525

Passing on the Report of the Engineer, giving  
preliminary approval, and setting a time and place for  
public hearing.

Subitem-D: (R-92-1318) ADOPTED AS RESOLUTION R-279526

Authorizing the execution of an agreement with Paine  
Webber Incorporated and Bancroft, Garcia and Lavell,  
investment banking firms, to provide for the financing  
of public infrastructure facilities in connection with  
Otay Mesa Industrial Park.

CITY MANAGER SUPPORTING INFORMATION: In April 1989, Council  
accepted the property owner petition, signed by the developer,  
representing 100 percent of the land owners, to consider  
assessment district financing for the project. This proposed  
district would be an acquisition-type district in which the City  
acquires the public improvements from the developer through  
assessment district proceedings. The public improvements have  
been completed and formation of the proposed district can proceed  
according to the Municipal Improvement Act of 1913 with the first  
Council action being the adoption of the Resolution of Intention.  
Following adoption of this resolution, all land owners will  
receive written notice of a public hearing to confirm the

assessments. Following the public hearing, owners have 30 days in which to pay all or any portion of their assessment. At the end of 30-day cash collection period, assessment bonds in the amount of the total unpaid assessments are issued, and the developer is paid for the completed public improvements which consist of grading, curb and gutter, sidewalk, paving, sewer, water and storm drain facilities, street lights and other miscellaneous improvements.

The financial advisor for the project, Evensen Dodge, Inc., has recommended the City utilize the services of an underwriting firm to cost effectively market and price the bonds. An underwriter RFP was issued December 20, 1991 and all five responding firms were interviewed. The RFP selection committee unanimously selected PaineWebber, Inc. and Bancroft, Garcia and Lavell, Inc. (MBE), a 50-50 percent joint venture, as the most qualified underwriting team for this project. The MBE/WBE consultant participation on this agreement will be 50 percent and 0 percent respectively.

FILE LOCATION:           STRT - D2280       CONTFY92-2

COUNCIL ACTION:       (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111:

Two actions relative to Governor Drive (Regents Road to  
Genesee Avenue) Underground Utility District:  
(University Community Area. District-1.)

Subitem-A:           (R-92-1314)       ADOPTED AS RESOLUTION R-279527

Designating April 23, 1992, as the date upon which all  
property in the Governor Drive (Regents Road to Genesee  
Avenue) Underground Utility District must be ready to  
receive underground service, and June 1, 1992 as the  
date for the removal of all overhead utility  
facilities.

Subitem-B:           (R-92-1315)       ADOPTED AS RESOLUTION R-279528

Authorizing the Auditor and Comptroller to open Fund  
No. 78056 for the purpose of depositing Public

Utilities Commission Case 8209 Utility Undergrounding Allocation Funds for the Governor Drive (Regents Road to Genesee Avenue) Underground Utility District; authorizing the City Treasurer to receive these funds from the San Diego Gas and Electric Company; authorizing payment to all property owners in the Governor Drive (Regents Road to Genesee Avenue) Underground Utility District, as reimbursement for electrical service underground conversion work done on private property whenever the required length of trenching exceeds 15 feet; authorizing the City Auditor and Comptroller to return to San Diego Gas and Electric Company any undisbursed funds upon written notice from SDG&E that all electric service conversions within a particular district have been completed; authorizing the expenditure of an amount not to exceed \$55,000 from the Annual Allocation - Miscellaneous Requirements - City Streets, CIP-58-004.0 (Gas Tax Funds), in addition to the earlier approved amount of \$5,500 for a total of \$60,500 for the purpose of administering the district, minor City work force, payment to SDG&E for the purchase and installation of street lights, and other related work.

CITY MANAGER SUPPORTING INFORMATION: The Governor Drive (Regents Road to Genesee Avenue) Underground Utility District was created by the City Council on October 16, 1989. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set April 23, 1992 as the Customer Ready Date, which will require that, upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish June 1, 1992, as the Pole Removal Date, which will require that, upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench. The property owner remains responsible for all remaining conversion costs.

Aud. Cert. 9200667.

FILE LOCATION: STRT - K-189

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-112:

Two actions relative to Vista Sorrento Parkway:  
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-92-1292) ADOPTED AS RESOLUTION R-279529

Approving the acceptance by the City Manager of a grant deed of Don H. Goss and Beverly J. Goss, granting to the City an easement for public street purposes in a portion of Lot 34 of Sorrento Lands and Townsite, Map-483; dedicating said land as and for a public street and naming the same Vista Sorrento Parkway.

Subitem-B: (R-92-1293) ADOPTED AS RESOLUTION R-279530

Approving the dedication of an easement for public street purposes in a portion of City-owned Lot 3 of Corporate Research Park, Map-12745; dedicating said land as and for a public street and naming the same Vista Sorrento Parkway.

FILE LOCATION: Subitem A: DEED F-5772; Subitem B: DEED  
F-5773 DEEDFY92-2

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-113: (R-92-1277) ADOPTED AS RESOLUTION R-279531

Approving the acceptance by the City Manager of a grant deed of Renaissance Villas Associates, granting to the City an easement for public street purposes in portions of Lots 22 and 23 of Five Creeks, Map-12234; dedicating said land as and for public streets and naming the same Toscana Way and Fiore Terrace.

(University Community Area. District-1.)

FILE LOCATION: DEED F-5774 DEEDFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-114: (R-92-1291) ADOPTED AS RESOLUTION R-279532

Approving the acceptance by the City Manager of a grant  
deed of Mobil Oil Corporation granting to the City an  
easement for public street purposes in portions of  
Parcel A of Parcel Map PM-387; dedicating said land as  
and for a public street, and naming the same Washington  
Street.

(Uptown Community Area. District-2.)

FILE LOCATION: DEED F-5775 DEEDFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-115: (R-92-1213) ADOPTED AS RESOLUTION R-279533

Approving the acceptance by the City Manager of a  
street easement deed of Douglas Oil Company of  
California, granting to the City an easement for  
public street purposes in a portion of Lot 20 in Block  
252 of Pacific Beach, Map-854; dedicating said land as  
and for a public street and naming the same Ingraham  
Street.

(Pacific Beach Community Area. District-2.)

FILE LOCATION: DEED F-5776 DEEDFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-116: (R-92-1279) ADOPTED AS RESOLUTION R-279534

Vacating the City's interest in an unneeded water  
easement affecting Pueblo Lot 1298 of the Pueblo Lands,  
pursuant to Section 8300 et seq. of the Streets and  
Highways Code.

(La Jolla Community Area. District-1.)

FILE LOCATION: DEED F-5777 DEEDFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-117: (R-92-1294) ADOPTED AS RESOLUTION R-279535

Approving the acceptance by the City Manager of the  
deed of Battle Mountain, conveying to the City a  
building restricted easement in Lots 11, 20 and 21 of  
Bernardo Vista Del Lago, Map-12768; authorizing the  
execution of a quitclaim deed, quitclaiming to Battle  
Mountain, all of the City's right, title and interest  
in a building restricted easement in Lots 11, 20 and 21  
of Bernardo Vista Del Lago, Map-12768, in exchange for  
the easement to be granted.

(Rancho Bernardo Community Area. District-5.)

FILE LOCATION: DEED F-5778 DEEDFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-118: (R-92-1301) RETURNED TO THE CITY MANAGER

Authorizing the sale of a portion of Lot 42, Horton's Purchase, known as Site 586 and located at the northwest corner of Imperial Avenue and Ozark Street, to the highest bidder at the March 16, 1992 auction; authorizing the execution of a grant deed, granting the property to the highest bidder; declaring that a broker's commission shall be paid by the City if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds.  
(Lincoln Park Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On October 1, 1990, Council reaffirmed the designation of this site for sale by public auction. The subject site is located at the northwest corner of Imperial Avenue at Ozark Street. It is 4,136 square feet (0.095 acre) in size, rectangular in shape, zoned CSF-2 and vacant. The Southeast San Diego Community Plan designates the site for commercial use. Originally acquired for the widening of Imperial Avenue, this site is now in excess of City needs. An appraisal completed by staff established a minimum bid of \$21,000.

This valuation was based on a comparison of similar, recently sold properties. A public auction of this property will be held in the Council Chambers on March 16, 1992. The results of this auction are being brought forward to Council for consideration.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C358-369.)

MOTION BY STALLINGS TO RETURN TO THE CITY MANAGER FOR REEVALUATION. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-119: (R-92-1300) RETURNED TO THE CITY MANAGER

Authorizing the sale of a portion of Lot 10, Block 3, Pacific Pines, located at 4131 Jewell Street, to the highest bidder at the March 16, 1992 auction; authorizing the execution of a grant deed, granting the

property to the highest bidder; declaring that a broker's commission shall be paid by the City if the applicable Municipal Code provisions and Resolution R-223040 have been satisfied, and if the successful bidder is represented by a registered broker; authorizing the payment of related expenses in accordance with the sale from the proceeds. (Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On November 25, 1991, City Council accepted a bequest from the estate of Marjorie Thackeray, which included a one-half interest in real property at 4131 Jewell Street in Pacific Beach. The other one-half interest was bequeathed to the San Diego Zoological Society. At the same time, the City Manager was authorized to sell the property at public auction and, after expenses, share the proceeds with the San Diego Zoological Society. Mrs. Thackeray requested that the City's share of the proceeds be used for the new library to be constructed in Pacific Beach called the Earl and Birdie Taylor Branch Library. The Jewell Street property is 2,800 square feet in size, zoned R-3000, and is improved with a two-bedroom single family dwelling. The parcel was appraised at \$200,000 by an independent fee appraiser. The public auction of the property will be held in the Council Chambers on March 16, 1992. The results of the auction are brought forward for consideration by City Council.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: C358-369.)

MOTION BY STALLINGS TO RETURN TO THE CITY MANAGER FOR REEVALUATION. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-120: (R-92-1307)                      TRAILED TO MARCH 17, 1992 DUE TO  
LACK OF TIME

Amending the 1992 Legislative Calendar, because of the rescheduling of the Urban Land Institute Conference, and recent changes to the Council Committee System.

SUPPORTING INFORMATION: Amending the 1992 Legislative Calendar because of the rescheduling of the Urban Land Institute



Conference and recent changes to the Council Committee System,  
by:

DELETING:

April 21 - 25 Urban Land Institute Conference, London

May 18 10 a.m. - Housing Commission  
2 p.m. - Council

May 19 9 a.m. - Council  
2 p.m. - Council  
2 p.m. - Redevelopment Agency

ADDING:

April 21 9 a.m. - Council  
2 p.m. - Council  
2 p.m. - Redevelopment Agency

April 22 9 a.m. - PF&R  
2 p.m. - TP&E \*(Transportation, Planning  
and Environment)

April 23 2 p.m. - Council Workshop  
(To be announced)

May 15 - 19 Urban Land Institute Conference, Houston

June 30 2 p.m. - Redevelopment Agency

September 8 2 p.m. - Redevelopment Agency

September 22 2 p.m. - Redevelopment Agency

November 10 2 p.m. - Redevelopment Agency

November 24 2 p.m. - Redevelopment Agency

\*ADDITIONALLY:

All scheduled Rules Committee (RULES) Meetings will be  
replaced with Council Committee of the Whole Meetings  
(COMM).

All scheduled Transportation and Land Use (T&LU)  
Committee meetings will be replaced with  
Transportation, Planning and Environment (TP&E)  
Committee meetings.

FILE LOCATION: --

\* ITEM-121: (R-92-1327) ADOPTED AS RESOLUTION R-279536

Declaring the continued State of Emergency regarding repair of the Point Loma Ocean Outfall, and that the measures previously taken by Council in Resolution R-279384 shall continue to have full force and effect.

CITY MANAGER SUPPORTING INFORMATION: On February 3, 1992 the City Council declared a state of emergency as a result of a break in the Point Loma Ocean Outfall impacting public health and safety. The Government Code requires the local governing body to review that state of emergency every fourteen days until the local emergency is declared terminated.

This action requests the continuation of the declared state of emergency.

FILE LOCATION: WATER - State of Emergency Point Loma Ocean Outfall

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-122: (R-92-1289) CONTINUED TO MARCH 23, 1992

Approving the City of San Diego Source Reduction and Recycling Element, prepared in accordance with the California Integrated Waste Management Act of 1989; directing the City Manager to make nonsubstantive corrections and additions to the document in response to public comments and submit the document to the County of San Diego for incorporation into the Countywide Integrated Waste Management Plan as required by State law.

(See City Manager Report CMR-92-77.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A186-196.)

MOTION BY McCARTY TO CONTINUE TO MARCH 23, 1992 TO ALLOW THE CITY MANAGER ADDITIONAL TIME TO RESPOND TO THE LIST OF QUESTIONS SUBMITTED TO HIM BY COUNCIL MEMBER McCARTY.

Second by Hartley. Passed by the following vote:  
Wolfsheimer-yea, Roberts-not present, Hartley-yea,  
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,  
Filner-yea, Mayor O'Connor-yea.

ITEM-123: (R-92-1322) ADOPTED AS RESOLUTION R-279538

Approving the January 1992 San Diego County BankAmerica's  
Community Reinvestment Plan.

(See memorandum from City-County Reinvestment Task Force  
dated 1/27/92 and BankAmerica's Community Reinvestment Act  
Plan.)

COMMITTEE ACTION: Reviewed by PSS on 2/19/92. Recommendation to  
approve the Bank of America Reinvestment Plan. Districts 3, 4  
and 8 voted yea. Districts 1 and 2 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F326-365.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by  
the following vote: Wolfsheimer-not present, Roberts-not  
present, Hartley-not present, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not  
present.

ITEM-124: (R-92-1067) CONTINUED TO MARCH 23, 1992

Authorizing the City Manager to begin a "Gun Buy Back  
Program" to be administered by the San Diego Police  
Department which allows the Chief of Police to accept  
donations to that program during the months of March  
and April 1992; authorizing the City Manager to expend  
up to \$25,000 in Federally Seized and Forfeited Assets  
Funds (Fund No. 10132) to meet conditions of any  
donations which require other matching funds as a  
condition for contribution; authorizing the City  
Auditor and Comptroller to establish a special trust  
fund for donations to the "Gun Buy Back Program";  
accepting all donations to the "Gun Buy Back Program"  
with gratitude for the splendid expression of public  
service shown by each donor.

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego's Gun Buy Back Program is intended to remove guns from the City by purchasing them from citizens and then destroying them. Funds from private donations and Federally Seized and Forfeited Assets will enable the City to initiate the Program. Firearms will be received at the Police Pistol Range and subsequently destroyed by the Police Department's Property Unit.

Aud. Cert. 9200575.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A197-202.)

MOTION BY WOLFSHEIMER TO CONTINUE TO MARCH 23, 1992 TO ALLOW THE CITY MANAGER ADDITIONAL TIME TO WORK OUT THE ELEMENTS OF THE PROGRAM. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-125: (R-92-1334) ADOPTED AS RESOLUTION R-279540

Authorizing the City Clerk to accept the generous donation of prizes and cash donations for prizes for the YouthVote '92 writing/logo contest as follows: Action Kites, Aqua Adventures Kayak School, Bookstar, Cousins Warehouse, Eastman Kodak, The Fieldstone Foundation, H&M Landing, Ice Capades Chalet, Just Sk8, Kaiser Permanente Medical Care Program, Kite Country, Pepsi Cola, Photo Imports, Police Officers Association, REI, Rubio's, San Diego Boys & Girls Clubs, San Diego Chargers, San Diego (Host) Lions Club, San Diego State University, San Diego Teachers Credit Union, Sea World, Suzy's Zoo, University of San Diego, Video Scene's Big Screen City, and Wells Fargo Bank; expressing appreciation and gratitude for these acts of civic generosity.

CITY CLERK SUPPORTING INFORMATION: Because of the City Clerk's continuing concern over voter apathy in general, and low voter participation by young adults in particular, the City Clerk's Office has implemented a pilot, non-partisan election education program for San Diego schoolchildren. Based on similar student voting projects in the State of Arizona and Sonoma County, California, the project, called YouthVote '92, has as its goal increased participation in the electoral process by today's and tomorrow's voters. To help achieve this goal, 5th, 8th and 12th

grade students in the City of San Diego will have an opportunity to participate in mock elections on June 2, 1992, and November 3, 1992.

While the California Secretary of State estimates that 25-30 percent of California's high schools have mock election programs, this is the first such project implemented in San Diego. We believe it is also the first project in California to involve students at the elementary and middle school levels. YouthVote '92 operates with the cooperation of the San Diego County Registrar of Voters and the San Diego Unified School District (SDUSD). In September, 1991, social studies faculty at each public middle, junior high and senior high school in the City were offered the opportunity to participate in the program; selected 5th grade teachers in the SDUSD system and faculty at a number of private schools were contacted shortly afterward. Currently, 13 schools and over 4,200 school children are a part of YouthVote '92. To kick off the YouthVote '92 program, participating students have been encouraged to compete with other San Diego 5th, 8th and 12th graders in a writing/logo contest, with winners in each category at each grade level. Prizes contributed by local businesses and organizations will be awarded as a Special Order of Business before the San Diego City Council on March 30, 1992. Winning entries will be used Citywide to promote participation in both the student and the adult elections. Winning essays will be printed on filler pages of the sample ballot, distributed by the Registrar of Voters, on a space-available basis. Winning logo entries will be displayed at polling places throughout the county. Other entries will be placed on display in the lobby of the City Administration Building in the weeks prior to the primary election. The YouthVote '92 program at each school utilizes the resources of a volunteer committee of parents, teachers, students and local community members. The steering committee, comprised of representatives of each of the volunteer groups and City Clerk's Office elections staff, is coordinating the writing/logo contest, the dissemination of curriculum materials and election information, and the mock elections. Mock elections will be held at each participating school-site. Ballots will include a selection of candidates and propositions, and will vary slightly depending upon schoolsite and grade level. Votes will be tallied and the results announced at Election Central.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-126: (R-92-1259) ADOPTED AS RESOLUTION R-279541

Authorizing the City Manager to donate various lots of surplus equipment that is no longer serviceable to the City, as gifts to Miramar College and the San Diego Pasqual and Campo Volunteer Fire Agencies.

CITY MANAGER SUPPORTING INFORMATION: The Fire Department has identified various lots of surplus and obsolete fire equipment to be donated as gifts to Miramar College and the Campo and San Pasqual Volunteer Fire Agencies. The equipment is divided into various lots consisting of hoses, nozzles, valves, pumps and other associated equipment. The aggregate value of each donation gift per agency would be no more than \$1,000. The equipment designated for Miramar College would be used in their Fire Science Curriculum and in support of the City of San Diego's Fire Academy which is run in cooperation with the college. The equipment designated for the San Pasqual and Campo Volunteer Fire Agencies would assist both agencies with their equipment procurement.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-127: (R-92-1174) ADOPTED AS RESOLUTION R-279542

Authorizing the City Manager to advertise and sell a Victim Rescue Vehicle (V.R.V.) to the highest bidder offering \$50,000 or more; authorizing the City Manager to deposit the proceeds from the sale of the Victim Rescue Vehicle (V.R.V.) in a special fund to be used for San Diego Police Department Special Weapons and Tactical Unit (S.W.A.T.) purposes.

CITY MANAGER SUPPORTING INFORMATION: During October 1985, the San Diego Crime Commission donated a Victim Rescue Vehicle (V.R.V.) valued at \$124,196 to the San Diego Police Department. Actual experience with the vehicle proved the V.R.V. unsuitable

for operational requirements of the Special Weapons and Tactical (S.W.A.T.) Unit. In August 1988, the City Council (Resolution R-271599), with the endorsement of the Crime Commission, authorized selling the V.R.V. at a minimum sale price of \$100,000. Seven law enforcement agencies made formal inquiries, but no offers were received. The Crime Commission now endorses a second attempt to sell the V.R.V., but at a lower minimum sale price of \$50,000. The proceeds will be deposited in a special fund to be used for Police Department S.W.A.T. Unit purposes.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-128: (R-92-1257) ADOPTED AS RESOLUTION R-279543

Rescinding the public nuisance status previously declared at Bahia Point, Ventura Cove and Bonita Cove.  
(Mission Bay Park Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On June 10, 1991, in Resolution R-278092, the City Council endorsed the Manager's emergency action declaring the areas of Bahia Point, Ventura Cove and east and central Bonita Cove in Mission Bay Park a public nuisance due to unsafe conditions after two stabbing deaths in the area on June 1, 1991. This action was necessary in order to install and lock gates to these parking lots at night without waiting for a coastal development permit. The need for the public nuisance status was obviated by the City's receipt of a coastal development permit. Therefore, this resolution will rescind that status.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-129: (R-92-1237) ADOPTED AS RESOLUTION R-279544

Changing the title of CIP-29-771.0 from Bay Terraces Community Park - Children's Play Area to Skyline Community Park - Security Lighting; and changing the description from providing a small children's play area at Bay Terraces Community Park to providing security lighting at Skyline Community Park.  
(Skyline/Paradise Hills Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Bay Terraces Community Park and Skyline Community Park are both in the Skyline-Paradise Hills Community Planning Area. CIP-29-771.0, Bay Terraces Community Park - Children's Play Area is scheduled for design in FY '92 and for construction in FY'93. The community effort to identify and prioritize projects for the 20 Year Needs List resulted in no listing for the Bay Terraces Community Park Project. The Skyline Community Park Security Lighting project received a priority of 2. A priority of 1 is the highest rating. The proposed modification to the FY '92 CIP will provide an improvement desired by the community in lieu of a lesser project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-130: (R-92-1211) ADOPTED AS RESOLUTION R-279545

Authorizing the Auditor and Comptroller to transfer within the General Fund the sum of \$7,500 from the Nondepartmental Expense (Dept. 601) to the Allocated Reserve (Dept. 901), to supplement the expenditure authorized by Resolution R-269350, adopted September 28, 1987, for the payment of litigation fees related to Western Oil and Gas Association v. Sonoma County.

CITY MANAGER SUPPORTING INFORMATION: Additional funds are necessary to provide the City's participation in a common litigation defense fund created involving City Charter Section 2.1. Section 2.1 imposes restrictions on off-shore oil drilling and exploration. The City of San Diego was joined with a number of other cities and counties in a lawsuit filed by the petroleum industry challenging similar ordinances which restricted



off-shore oil exploration. Although a number of the ordinances were different, principles of each were common to all jurisdictions involved that a common defense fund was merited. Various aspects of the litigation have been resolved and the City of San Diego has since been dismissed from the lawsuit by permission of the plaintiff. The potential still remains for a later and separate lawsuit against the City. However, certain aspects of the remaining litigation against the remaining defendants may yet have an effect on potential defenses available to the City. Consequently, it is appropriate that the common defense effort and contribution remain intact, and San Diego continue to contribute to the defense fund. It is potentially less expensive this way, than if we were to drop out and later assume our own separate expenses.

Aud. Cert. 9200611.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-131:

Three actions relative to authorizing Suggestion Awards to the following City employees:

Subitem-A: (R-92-1273) ADOPTED AS RESOLUTION R-279546

Larry A. Mauzy - Waste Management/Refuse Collection - \$500.

Subitem-B: (R-92-1274) ADOPTED AS RESOLUTION R-279547

Robert K. Tobias - Water Utilities/Metro - \$140.

Alex P. Gonzalez - Waste Management/Refuse Collection - \$102.78.

Subitem-C: (R-92-1275) ADOPTED AS RESOLUTION R-279548

Robert Hauptman - General Services/Buildings - \$100.

George E. Bertsch and An C. Vu - Water  
Utilities/Production - \$45 (shared equally).

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-132: (R-92-1302) ADOPTED AS RESOLUTION R-279549

Excusing Councilmember Judy McCarty from attending the  
Special Emergency Meeting of the City Council on Wednesday,  
February 5, 1992, because she had another scheduled activity  
and could not be reached, due to a short notice of the  
meeting.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-133: (R-92-1186 Cor.Copy) ADOPTED AS RESOLUTION R-279550

Approving the Memorandum of Understanding between the City  
of Chula Vista and the City of San Diego to establish a  
joint planning process for the processing of the  
Fenton-Western properties project, to become effective upon  
the date signed by all the signatories.  
(Districts-2 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Fenton-Western  
Properties Company is preparing plans for development of their  
properties within the south San Diego Bay and Otay Valley area.  
Two jurisdictions with final land use authority in this area  
include the cities of Chula Vista and San Diego. The municipal  
boundary between these two cities divides the Fenton-Western  
properties. Both Fenton-Western Properties, and the two cities  
have agreed to study potential adjustments to the municipal

boundary. The properties are located within the Focused Planning Area of the proposed Otay Valley Regional Park, a joint planning effort involving the county and the two cities. The purpose of this Memorandum of Understanding is to provide a process whereby both jurisdictions agree to share personnel, costs, and ideas with a goal of jointly forming and creating necessary documents and plans for the Fenton-Western properties acceptable to both jurisdictions. While both jurisdictions intend to retain their independent governmental authority to review the project, both jurisdictions will voluntarily agree to cooperate to form a joint planning approach in an attempt to develop a single, unified proposal for development and preservation of this property. The City Managers and Planning Directors of both jurisdictions agree that this cooperative approach would best serve all who may have interest in the development of these properties.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-134: (R-92-947) ADOPTED AS RESOLUTION R-279551

Modifying the contract with HSQ Technology, for the purchase of Metro Pump Station No. 2 Control System Design and Fabrication and related services, for an added cost of \$66,576 for additional Input/Output Points, including tax, for a total estimated additional cost of \$83,372; and allowing a time extension for completion of 105 calendar days; authorizing the transfer of funds within Sewer Fund 41506 from CIP-43-033.0, North Mission Valley Interceptor in the amount of \$69,576 to CIP-46-101.0, Metro Pump Station No. 2, Additional Pumps;

authorizing the expenditure of not to exceed \$83,372 from Sewer Revenue Fund 41508, Metro Pump Station No. 2, Additional Pumps, CIP-46-101.0, for the purpose of executing these changes;

authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-E1887/91)

(District-2.)

Aud. Cert. 9200680.

FILE LOCATION: CONT - Purchase - HSQ Technology CONFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-135: (R-92-1276) ADOPTED AS RESOLUTION R-279552

Authorizing the execution of a first amendment to the  
agreement with Linda Vista Community Development Corporation  
(LVCDC), for specified economic development activities;  
authorizing the expenditure of an amount not to exceed  
\$31,000 for LVCDC from Fund 18524, Department 5666,  
Organization 6604, for the purpose of providing funds for  
the amendment.

(Linda Vista Community Area. Districts-5 and 6.)

CITY MANAGER SUPPORTING INFORMATION: The City Council, in the  
1991-92 Community Development Block Grant (CDBG) appropriation  
cycle, approved an \$86,000 grant to the Linda Vista Community  
Development Corporation (CDC) for neighborhood economic  
activities. The CDC has requested additional funds of \$31,000 to  
augment its existing operations to prepare the Linda Vista  
Community Assessment. The Community Assessment began in October  
1991 and involves four components: one-on-one interviews; focus  
group meetings; on-site interviews and door-to-door surveys. The  
response has been greater than anticipated and will require more  
translators and funding to analyze data. The Economic  
Development Division will use the Community Assessment to  
facilitate revitalization and public improvement plans.

Aud. Cert. 9200645.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: E459-F171.)

MOTION BY BEHR TO ADOPT. Second by Stallings. Passed by  
the following vote: Wolfsheimer-not present, Roberts-not  
present, Hartley-not present, Stevens-yea, Behr-yea,  
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-136: (R-92-1305) ADOPTED AS RESOLUTION R-279553

Authorizing the City Manager to execute an agreement with Mid-City Community Clinic, for the renovation of their facility; authorizing the expenditure of an amount not to exceed \$107,000 from CIP-37-248.0:

\$37,000 from CDBG Fund 18527, Dept. 4012, Org. 1210;

\$70,000 from CDBG Fund 18523, Dept. 5632, Org. 3206, for the purpose of providing funds for the above project.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The Mid-City Community Clinic, located at 4290 Polk Avenue, provides medical care and health services for the low income population of the Mid-City area. The facility, an old red brick structure, formerly a church, has been severely battered by vandals over the years. In addition, one entire part of the building, formerly the church auditorium, has never been renovated and at this time is not functional. This project will repair vandalized areas, provide a security system to prevent further damage, and begin renovation of the auditorium.

Aud. Cert. 9200655.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-137: (R-92-1249) ADOPTED AS RESOLUTION R-279554

Authorizing the execution of a fourth amendment to agreement with Rees and Associates, Inc. for legislative representation services in Sacramento; authorizing the City Auditor and Comptroller to pay Rees & Associates, Inc. the sum of \$115,111 through December 31, 1992 from the General Fund Legislative Services Budget.

(See Department of Legislative Services Report DLS-92-3.)

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COMMITTEE ACTION: Reviewed by RULES on 1/15/92.  
Recommendation to approve the fourth amendment to the personal services agreement with Rees and Associates, Inc. Districts 1, 2, and 7 voted yea. District 8 and Mayor not present.

Aud. Cert. 9200663.

FILE LOCATION: MEET CONTFY92-1

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-138: (R-92-1287) ADOPTED AS RESOLUTION R-279555

Approving Change Order No. 6, dated December 10, 1991, issued in connection with the contract with Cass Construction, Inc. for the Accelerated Sludge Pipeline/Point Loma Treatment Plant to Sunset Cliffs Bridge (Phase 1) project, amounting to a net increase in the contract price of \$63,622.37 for removal and compaction of soil; an increase of \$66,629.73 for construction and training of personnel; and a decrease of \$225,765 due to the implementation of the Cost Reduction Incentive Clause, resulting in a net decrease in the contract price of \$95,512.90; the funds are to be returned to Object Account 4905, Construction Contingency.

(Peninsula and Ocean Beach Community Areas. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This agreement with Cass Construction will result in a net decrease in the contract amount of \$95,512.90.

Change Order No. 6 addresses the following:

1. The deletion of Bid Item No. 5, Excavation and Backfill of Slurry Cement below the invert of the pipe. This is due to the Cost Reduction Incentive clause, Section 3-1.3, in the Contract.  
Decrease in Cost: \$225,765.
2. The removal and recompaction of soil in the trench from Station 0+25 to Station 77+00.  
Increase in Cost: \$63,622.37.

3. The construction and training of personnel for the installation of a 12-inch force main through potential hazardous material.

Increase in Cost: \$66,629.73.

WU-CWP-92-098.

FILE LOCATION: CONT - Cass Construction, Inc. CONFY92-1

COUNCIL ACTION: (Tape location: E357-388.)

MOTION BY ROBERTS TO ADOPT AND DIRECT STAFF TO HAVE SOMEONE FROM SUNSET CLIFFS PARK PARTICIPATE WITH CITY STAFF, WITH RESPECT TO THE MONITORING AND MAINTENANCE PROGRAM, IN REVIEWING CONSULTANTS AND OTHER ITEMS THAT IMPACT THE PARK. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-200: (O-92-51) CONTINUED TO APRIL 6, 1992

(Continued from the meeting of February 18, 1992, Item 50, at the City Manager's request, for further review.)

Adoption of an Ordinance amending Chapter X, Article 1, Division 4, of the San Diego Municipal Code by amending Section 101.0445, relating to the Airport Overlay Zone.

(District-2. Introduced as amended on 2/4/92. Council voted 8-0. District 8 not present.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A203-209.)

MOTION BY McCARTY TO CONTINUE TO APRIL 6, 1992 TO ALLOW THE CITY MANAGER ADDITIONAL TIME TO WORK WITH THE PORT DISTRICT ON AN INDEMNITY AGREEMENT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-92-1238) ADOPTED AS RESOLUTION R-279556

(Continued from the meeting of February 24, 1992, Item S400, and March 3, 1992, Item S404; last continued at Councilmember Hartley's request, to allow Councilmember McCarty to participate in the discussion.)

Approving the Graffiti Control Plan as contained in City Manager's Report CMR-91-523, dated December 2, 1991; directing the City Manager to take the necessary steps to implement the items enumerated in the report; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$200,000 from the Park and Recreation Department (444) to the Waste Management Department (513); authorizing the expenditure of \$392,000 in General Fund 100 monies from the Waste Management Department for the purpose of implementing this plan.

(See City Manager Report CMR-91-523.)

Aud. Cert. 9200635.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F366-G172.)

MOTION BY McCARTY TO ADOPT THE GRAFFITI CONTROL PLAN WITH THE PROVISION THAT THE PRIVATE PROPERTY ABATEMENT BE STUDIED AND REPORT BACK TO PS&S IN THREE MONTHS. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202: CONTINUED TO MARCH 30, 1992

Two actions relative to Memorandum of Understanding regarding the potential development of a new Sports Arena/Amendment to present Sports Arena lease documents:

(See City Manager Report CMR-92-85. Midway Community Area. District-2.)

Subitem-A: (R-92-1309)

Authorizing the City Manager to execute an Amended and Restated Memorandum of Understanding with Ronald E. Hahn and C. Samuel Marasco, regarding the potential development of a new Sports Arena.



Subitem-B: (R-92-1310)

Authorizing the City Manager to execute a Second Amendment to Operating Sublease with San Diego Entertainment, Inc., to update the terms of the lease documents of the present Sports Arena.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A210-247.)

MOTION BY McCARTY TO CONTINUE TO MARCH 30, 1992 AT THE REQUEST OF THE PARTIES BECAUSE THEY ARE OUT OF TOWN. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: NOTED AND FILED

Determining if special circumstances exist for the disestablishment of the La Jolla Business Improvement District.  
(District-1.)

FILE LOCATION: STRT L-2

COUNCIL ACTION: (Tape location: C375-E356.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: (R-92-1362) CONTINUED TO MARCH 23, 1992

Declaring that the passage and implementation of Senate Bill 1225 is in the best interest of the customers of the Metropolitan Sewerage System by creating a regional organization and governance structure for the Metropolitan Sewerage System to provide the best public service at least cost.

CITY MANAGER SUPPORTING INFORMATION: Council Resolution R-277309 of February 4, 1991, authorized the City Manager to forward enabling legislation, Senate Bill 1225, to provide for

the formation of the San Diego Area Wastewater Management District. The District addresses the regional service area of the current Metropolitan Sewerage System (MSS) by allowing for active participation by all member agencies in matters of policy affecting planning, financing, construction, operation and maintenance of the system. The City is currently the sole owner and operator of the MSS, although other agencies contribute funds commensurate to sewage flow and capacity rights, per agreements.

At its February 12, 1992, meeting the Advisory Group approved a motion to forward a draft resolution to each member agency of the MSS so that each Council/Board may resolve to support SB 1225. Unified support from the service area will enhance the prospective passage of SB 1225, especially through its critical hearing by the Assembly Banking, Finance and Bond Indebtedness Committee.

The Advisory Group will send a letter documenting the allied support of this resolution to the cited Assembly committee, the Governor, and other key State officials to secure enactment of the bill this term. (The bill cleared the Senate in 1991.) This resolution recognizes that the proposed District would provide the best public service for the lowest financing cost. For example, the planned public improvements known as Alternative IV A, Phase I (to be designed and constructed by 2003 to comply with the Clean Water Act, the State Ocean Plan, and the Coastal Commission) are projected to cost more than \$2.5 billion, excluding financing. The stronger credit rating of the District, compared to the City of San Diego, is estimated to save rate payers \$25 to \$50 million over the life of the borrowing program. Financing savings would be even greater compared to a joint powers authority as issuer, or the City issuing certificates of participation.

WU-CWP-92-118.

FILE LOCATION:           --

COUNCIL ACTION:           (Tape location: C067-374.)

MOTION BY BEHR TO CONTINUE TO MARCH 23, 1992 AND DIRECT THE CITY MANAGER TO COME BACK WITH ANSWERS TO THE FOLLOWING ISSUES:

1. IF THE CITY AGREES TO THE FORMATION OF THE NEW DISTRICT, DOES THE CITY GIVE UP THE RIGHT TO BE ABLE TO AFFECT THE RELATIONSHIP BETWEEN OUR EXISTING EMPLOYEES AND THE EMPLOYEES OF THE NEW DISTRICT. WILL OUR EMPLOYEES BE LEFT OUT WITH THE FORMATION OF THE NEW DISTRICT?

2. WHAT AUTHORITY WILL THE CITY COUNCIL OR THE CITY HAVE  
IN THE WHOLE PROCESS? WHAT CONTROL DOES THE CITY LOSE?  
WHAT ARE THE DISADVANTAGES?

Second by Filner. Passed by the following vote:  
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not  
present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea,  
Mayor O'Connor-yea.

\* ITEM-S401: (R-92-1333) ADOPTED AS RESOLUTION R-279557

Approving the submission of the application for the  
designation of a Recycling Market Development Zone and  
related actions.

(See City Manager Report CMR-92-78. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 2/26/92. Recommendation to  
approve the City Manager's recommendations. Districts 3, 5, 6  
and 7 voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (O-92-122) INTRODUCED, TO BE ADOPTED ON MARCH 30,  
1992

Introduction of an Ordinance amending Section 95.0127  
of the San Diego Municipal Code, relating to Graffiti  
Abatement, by clarifying the Ordinance and indicating  
that parents may be held responsible for graffiti  
damages caused by minor children.

NOTE: Changes clarifying the Graffiti Ordinance were  
requested to be prepared by the City Attorney's office  
by Councilmembers Hartley and Behr at the Council  
meeting of March 3, 1992.

NOTE: See Item 201 on the docket of Monday, March 16, 1992 for a  
companion item.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: F366-G172.)

MOTION BY McCARTY TO INTRODUCE. Second by Stallings. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S403: (R-92-1093) TRAILED TO MARCH 17, 1992, DUE TO LACK OF TIME

Reaffirming the City Council's commitment to preferring local vendors and contractors in the award of City contracts to the extent allowable by law; accepting City Manager Report CMR-92-92 and directing the City Manager to implement the recommendations contained in the report. (BID-K3040/92)

(See City Manager Report CMR-92-92.)

FILE LOCATION: --

ITEM-S404: (R-92-1325) TRAILED TO MARCH 17, 1992, DUE TO LACK OF TIME

Nominating Doug Rose for appointment by the Metropolitan Transit Development Board (MTDB), to serve as a City member of the San Diego Transit Board, for a term to expire June 30, 1994, replacing Mary Fair Berglund, whose term has expired.

(See memorandum from Mayor O'Connor dated 3/3/92 with resume attached.)

FILE LOCATION: --

ITEM-S405: (R-92-1323) ADOPTED AS RESOLUTION R-279558

Appointing the following nominees to the San Diego Data Processing Corporation Board of Directors to fill four vacancies, with three terms ending July 1, 1994 and one term ending July 1, 1993:

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(See memorandum from Mayor O'Connor dated 3/3/92, with resumes attached.)

NAME	CATEGORY REPRESENTED	NOMINATED BY
Roger Talamantez (Reappointment)	Data Processing	Mayor O'Connor
Ross J. Schwartz (To replace David Williams, who has resigned.)	Law	Councilmember Stallings
Jay V. Ruiz (To replace Mario Tilaro, whose term has expired.)	General Business	Councilmember Filner
Douglas E. Gray (To replace Michael E. Killingsworth, whose term has expired.)	Data Processing	Councilmember Stevens

Adoption of a Resolution appointing Roger Talamantez, Jay V. Ruiz, and Douglas E. Gray, to the Board of Directors of the San Diego Data Processing Corporation, for three-year terms ending July 1, 1994; and appointing Ross J. Schwartz to the Board of Directors of the San Diego Processing Corporation, for a term ending July 1, 1993.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S406: (R-92-1326) ADOPTED AS RESOLUTION R-279559

Council confirmation of the following appointment and reappointments by the Mayor to serve as members of the Commission on the Status of Women, for terms ending March 1, 1994:

(See memorandum from Mayor O'Connor dated 3/3/92 with resume attached.)

Appointment

Marilyn Robinson  
(To replace Sandra Sherman, whose term has expired.)

Reappointments

Maria Velasquez (Chair)  
Nellie Gephardt Amondson  
Kayte B. Anderson  
Margaret S. Lacy

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-92-1324) ADOPTED AS RESOLUTION R-279560

Council confirmation of the appointment by the Mayor of  
Carolyn Chase to serve as a member of the Waste  
Management Advisory Board, for a term ending October 1,  
1992, to replace Akira Omori, who has resigned.

(See memorandum from Mayor O'Connor dated 3/3/92 with  
resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C340-369.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S408: CONTINUED TO MARCH 23, 1992

In the matter of proposed wholesale water rate  
increases by Metropolitan Water District of Southern  
California (MWD) and San Diego County Water Authority  
(CWA).

(See memorandum from the City Manager dated 3/10/92.)

FILE LOCATION:           --

COUNCIL ACTION:       (Tape location: C067-374.)

MOTION BY BEHR TO CONTINUE TO MARCH 23, 1992, TO COME BACK WITH ITEM S400. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-not present, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S409: (R-92-1388)       ADOPTED AS RESOLUTION R-279561

Council authorization to draft arguments for the following ballot measures for the June, 1992 election, pursuant to the California Elections Code:

(A) Proposition A. Amends the Charter of the City of San Diego by amending Sections 12, 14, and 40, to establish a two term limit for the Mayor, City Councilmembers, and City Attorney.

(B) Proposition B. Amends the Charter of the City of San Diego by amending Section 12, pertaining to elections of Councilmembers in the event of vacancy in office, except when the vacancy occurs within 100 days of an upcoming regular municipal election.

(C) Proposition C. Amends the Charter of the City of San Diego by amending Sections 4 and 5 and adding Section 5.1 establishing a Redistricting Commission.

(D) Proposition D. Amends the Charter of the City of San Diego by adding Section 32.1, pertaining to the City Manager and non-managerial officers' duty to report matters to the City Council.

(E) Proposition E. Amends the Charter of the City of San Diego by adding Section 225, requiring disclosure by persons doing business with the City.

(F) Proposition F. Ratification of the removal of Mt. Soledad Natural Park from dedicated park status and the transfer of the property to a private non-profit corporation.

(G) Proposition G (Advisory Vote Only). Allocation of proceeds from the San Diego County Regional Justice Agency's half-cent sales tax for police services.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F172-220.)

MOTION BY FILNER TO ADOPT AND AUTHORIZE MAYOR O'CONNOR TO DRAFT THE ARGUMENTS FOR THE BALLOT MEASURES AND DIRECT COUNCIL TO GIVE MAYOR O'CONNOR A LIST OF THE BALLOT MEASURES THAT THEY WANT TO BE A PART OF AS FAR AS DRAFTING ARGUMENTS BY MARCH 17, 1992. MAYOR O'CONNOR TO GIVE THE CITY CLERK'S OFFICE A LIST OF THE AUTHORS NAMES BY TUESDAY, MARCH 17, 1992. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Chairperson Filner at 6:33 p.m., in honor of the memory of Richard C. Niblack, Miguel Duenas, Philip Chapman and William Shaffran.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G186.)